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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,716	04/25/2001	Carol S. Gruchala	8285/430	1846

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EXAMINER

BUI, BING Q

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 07/03/2003

19

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/844,716

Applicant(s)
Grachula et al

Examiner
Bing Bui

Art Unit
2642



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jun 13, 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-33, 35-39, 41-49, 51, and 53-71 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-33, 35-39, 41-49, 51, and 53-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 27 and 44-45 have been considered but are moot in view of the new ground(s) of rejection.

It should be noticed that the parent case (US Patent No. 6,252,953) to which the instant application is claimed for priority does not disclose the feature of "providing the modified calling party identification number to the called party, whereby the called party receives an identification of the group associated with the calling party instead of an identification of the calling party". Therefore, the following rejection is applied only to such new added feature recited in the amended claims of the instant application even though the filing date of the reference used (Tannenbaum et al / US Pat No. 5,901,209) falling behind the filing date of the recited parent case but prior to filing date of this instant application.

Claim Rejections - 35 U.S.C. § 112

2. Claims 70-71 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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As to claims 70-71, the method generated by apparatus of claim 52 can not be achieved since claim 52 is no longer existing in pending claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. This application currently names joint inventors. In considering patentability of the claims under 35

U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 27-33, 36-39, 41-49 and 53-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al (US Pat No. 6,130,935) in view of Tannenbaum et al (US Pat No. 5,901,209), herein after referred as Shaffer and Tannenbaum.

Regarding claim 27, Shaffer teaches the invention as claimed, a method of providing a work-at-home telecommunication service, the method comprising:

(a) receiving a dialed number from a calling party, said calling party being associated with a calling party identification number (col 1, ln 57-col 2, ln 6).

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(b) automatically modifying the calling party identification number to an identification number of a group associated with the calling party (col 1, ln 57-col 2, ln 6 and col 4, ln 28-41).

Shaffer differs from claimed invention in which it does not teach the method of providing the modified calling party identification number to the called party, whereby the called party receives an identification of the group associated with the calling party instead of an identification of the calling party. However, Tannenbaum teaches the method of providing the modified calling party identification number to the called party, whereby the called party receives an identification of the group associated with the calling party instead of an identification of the calling party (see Abstract and col 12, lns 6-16). Therefore, integrating Tannenbaum's teachings into work-at-home system of Shaffer would have been obvious for providing the called party the true nature of the call.

Regarding claim 28, Shaffer teaches the invention as claimed, the method further comprising the step of receiving a service specific code from the calling party (col 3, ln 8-38).

Regarding claim 29, Shaffer teaches the invention as claimed, the method further comprising the step of receiving a vertical service code from the calling party (col 3, ln 8-38).

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Regarding claim 30, Shaffer teaches the invention as claimed, the method further comprising the step of receiving an access code from the calling party (col 3, ln 8-38).

Regarding claim 31, Shaffer teaches the invention as claimed, the method further comprising the step of receiving a personal identification number from the calling party (col 1, ln 57-col 2, ln 6).

Regarding claim 32, Shaffer teaches the invention as claimed, wherein step (b) further comprises the step of sending a query to a service control point, the query comprising the calling party identification number (col 3, ln 39-61).

Claims 33, 41-43, 53-54, 60, 62 and 65, they are rejected for the same reasons as recited in the rejection of claim 27.

Regarding claims 36 and 57, Shaffer teaches the invention as claimed, wherein the dialed number comprises a private virtual network number (col 3, ln 24-38).

Regarding claims 37 and 56, Shaffer teaches the invention as claimed, the method of further comprising the step of translating the dialed number to a called party identification number (col 1, ln 57-col 2, ln 6 and col 4, ln 42-65).

Regarding claim 38, Shaffer teaches the invention as claimed, the method of further comprising the step of determining a telecommunication carrier for the group associated with the calling party (col 3, ln 24-61).

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Claims 39 and 58-59, they are rejected for the same reasons as recited in the rejection of claim 38.

Regarding claims 44-45, 55, 61, 63-64 and 66-67, there is provided by Shaffer a system which comprises appropriate means for carrying out the method according to claim 27.

Claims 46-49, they are rejected for the same reasons as recited in the rejection of claim 28.

5. Claims 35, 51 and 68-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer (US Pat No. 6,130,935) in view of Tannenbaum (US Pat No. 5,901,209), and further in view of London (US Pat No. 5,590,184).

Regarding claims 35 and 51, the combined system of Shaffer and Tannenbaum teaches the invention substantially as claimed, with the exception of providing the step of sending the modified calling party identification number to a called party associated with the dialed number in response to a failure of receiving a privacy access code from the calling party. However, it is obvious that Shaffer et al suggest that in response to a call made to a non-virtual network called party, the only ANI associated with a work-at-home agent is translated (modified) into a number of a group and this translated (modified) number is sent along with non-virtual network called party number to an IEC that routes the call to the recipient called party (col 3, ln 39-61).

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London teaches a number modified from caller identification number is sent to caller-id display unit associated with called party (Abstract and col 3, ln 8-42).

Therefore, it would have been obvious to one skilled in the art to use the Caller-ID service as taught by London that enables the combined system of Shaffer and Tannenbaum to send the identification of business group in place of the agent's identification to a recipient called party.

Claims 68-69, they are rejected for the same reasons as recited in the rejection of claim 35.

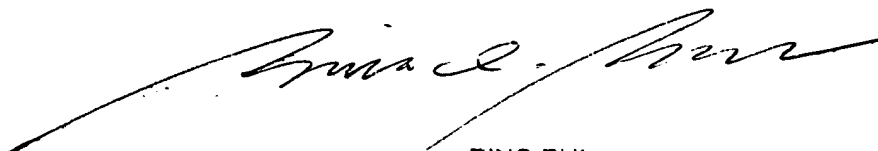
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 and for formal communications intended for entry (please label the response "EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Jun 25, 2003

A handwritten signature in black ink, appearing to read "Bing Bui", written in a cursive style.

BING BUI
PATENT EXAMINER